

IN THE UNITED STATES
PATENT AND TRADEMARK OFFICE

Patent Application

Inventors

Michael K. Brown
Norman C. Chan
Sharmistha Sarkar Das
David J. Skiba
Danny M. Wages

05/15/2002 TGEDAHU1 00000044 501602 10037588
06 FC:122 130.00 CH

Case 401052-A-01-US (Brown)

Serial No. 10/037,588

Filing Date 10/23/2001

Title A Unified Call Classifier For Processing Speech
And Tones As A Single Information Stream

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D. C. 20231

SIR:

PETITION UNDER 37 CFR §1.47(a)

Enclosed with this petition is a Declaration and Power of Attorney document signed by Norman C. Chan, Sharmistha Sarkar Das, David J. Skiba, and Danny M. Wages. Mr. Michael K. Brown, an inventor, has refused to sign this document. The other inventors request that Mr. Brown be joined as a joint inventor under 37 CFR §1.47(a).

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope with sufficient postage addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231, on

05/02/2002

Date Being Mailed

John C. Moran

Signature

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JUN 17 2002
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COPY OF PAPERS
ORIGINALLY FILED

Statement Of Facts

The facts concerning Mr. Brown's refusal to sign are as follows. The above-identified patent application was filed without a signed Declaration and Power of Attorney document on October 23, 2001. (A second application, 401052-B-01-US (Brown) of which Mr. Brown is an inventor, was also filed at this time. Mr. Brown has also refused to sign the Declaration document for that application.) When the serial number for the filed patent application was received, an email copy of the attached document was sent to Mr. Brown on February 28, 2002 by Kate Robertson (see Exhibit A). Mr. Brown responded to this email from Kate Robertson stating that he was an inventor and wanting to be paid for his time for reviewing and signing the document or receive a patent incentive award that Avaya Inc. gives only to active employees (see Exhibit B). Mr. Brown had retired from Avaya Inc. in August, 2001. After a signed Declaration and Power of Attorney document was not received from Mr. Brown, another Declaration and Power of Attorney document, assignment document, and application were sent to Mr. Brown on April 6, 2002, by John C. Moran (see Exhibit C). In response to an email inquiry of April 17, 2002, from John C. Moran, Mr. Brown responded by email on April 24, 2002, stating that he would not sign the Declaration and Power of Attorney and assignment documents. As a last step, I, John C. Moran, called Mr. Brown on April 24, 2002, at approximately 8:00 p.m. MST, and asked him to sign only the Declaration and Power of Attorney document. Mr. Brown stated that he refused to sign that document.

Mailing Address For Mr. Brown

The mailing address for Mr. Brown is as follows:

Michael K. Brown
285 Lewis Street
North Plainfield, NJ 07060

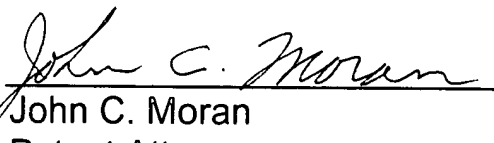
Payment Of Petition Fee

Please charge Avaya Inc.'s Deposit Account No. 501602 the amount of \$130, to cover the fee for filing this petition. In the event of non-payment or improper payment of a required fee, the Assistant Commissioner is authorized to charge or to credit Deposit Account No. 501602 as required to correct the error.

Respectfully,

Norman C. Chan
Sharmistha Sarkar Das
David J. Skiba
Danny M. Wages

By


John C. Moran
Patent Attorney
Reg. No. 30,782
303-450-9926

Date: 05/01/2002

John C. Moran, Attorney, P.C.
4120 115th Place
Thornton, CO 80233

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